

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RILEY NICOLE SHADLE,)	
)	
Plaintiff,)	4:15CV3132
)	
v.)	
)	
DR. RANDY KOHL, Medical services)	MEMORANDUM
director,)	AND ORDER
)	
Defendant.)	
_____)	

There is some reason to believe that Shadle may suffer from “Gender Identity Disorder” (GID) (now referred to in the DSM-V as “Gender Dysphoria” (GD)). Shadle claims that he has not been treated for this condition while in prison. He also asserts that he may have been diagnosed with this condition prior to entry into prison. My brief review of the law in the Eighth Circuit has convinced me that I should appoint counsel in this matter because the state of the law is not clear and the facts of the case are unclear.

With the foregoing in mind, I contacted Jeanelle R. Lust, managing partner of the Knudsen Law Firm, in Lincoln, Nebraska. Ms. Lust is known to me to be an excellent and experienced trial lawyer who is committed to the interests of justice. She has agreed to represent Shadle. I thank her for her service.

Therefore,

IT IS ORDERED:

1. Jeanelle R. Lust is hereby appointed to represent Plaintiff. She shall promptly enter her appearance.
2. With the agreement of Chief Judge Smith Camp, and pursuant to the [Amended Plan for the Administration of the Federal Practice Fund and the Federal Practice Committee](#), Part II.A.1.a, the Clerk shall promptly disburse to Ms. Lust \$1,000 as an initial fee. Ms. Lust shall be paid an additional fee

of \$1,000 upon completion of the case. Should Plaintiff succeed and Ms. Lust is awarded attorney fees and expenses as a prevailing party that exceed \$2,000 plus expenses, she shall reimburse the fund for the fees and expenses paid from the Federal Practice Fund. Ms. Lust may also seek *prior ex parte* authorization from the District Judge who is ultimately assigned to this case for additional funds to be disbursed from the Federal Practice Fund to defray her necessary expenses.

3. Plaintiff is herewith advised to be patient. Ms. Lust is a busy practitioner and she will be in contact with Plaintiff as soon as reasonably possible.
4. The Clerk shall mail copies of this Memorandum and Order to the Plaintiff and to Ms. Lust, whose address is Knudsen Law Firm, 3800 VerMaas Place, Suite 200, Lincoln, NE 68502, and whose telephone number is 402.475.7011. The Clerk shall also provide a copy to Pat Williamson.
5. The undersigned recommends to the District Judge and the Magistrate Judge who are ultimately assigned to consider issuing a progression order after consultation with counsel.
6. The Plaintiff is now represented by counsel. At the direction of the undersigned, this case is removed from the pro se docket. The Clerk's office shall randomly assign new judges to this case and shall request a reassignment order from the Chief Judge.

DATED this 26th day of April, 2016.

BY THE COURT:

Richard G. Kopf

Senior United States District Judge